

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:15-CR-169-BO

UNITED STATES OF AMERICA)

v.)

GERALD WAYNE TIMMS)


ORDER

This matter is before the Court the government's motion to disqualify counsel for defendant. For the reasons identified in the government's motion, which has been filed under seal, and in light of the early stage of these proceedings and the absence of undue prejudice or delay to defendant or the government if new counsel is appointed, the Court, out of an abundance of caution and to avoid any appearance of conflict, grants the government's motion. *See United States v. Williams*, 81 F.3d 1321, 1324 (4th Cir. 1996).

CONCLUSION

The government's motion [DE 19] is GRANTED. For good cause shown, the government's motions to seal [DE 20 & 24] are also GRANTED. The Clerk of Court is DIRECTED to serve a copy of this order on defendant, counsel for the government and defendant, and the Office of the Federal Public Defender so that new counsel may appointed.

SO ORDERED, this 26 day of August, 2015.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE